

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

TCYK, LLC,

Plaintiff,

vs.

Case No. 2:13-cv-690  
Judge Marbley  
Magistrate Judge King

JOHN DOES 1-9,

Defendants.

REPORT AND RECOMMENDATION

This action was filed on July 17, 2013. On November 15, 2013, the Court granted plaintiff an additional 120 days to demonstrate effective service of process in this action. *Order*, Doc. No. 8. The Court warned plaintiff that failure to demonstrate effective service would "result in the dismissal of the claims asserted against any defendant not so served." *Id.* Plaintiff has not demonstrated effective service on any defendant. The Court therefore **RECOMMENDS** that this action be dismissed without prejudice. Fed. R. Civ. P. 4(m).

If any party seeks review by the District Judge of this *Report and Recommendation*, that party may, within fourteen (14) days, file and serve on all parties objections to the *Report and Recommendation*, specifically designating this *Report and Recommendation*, and the part thereof in question, as well as the basis for objection thereto. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Response to objections

must be filed within fourteen (14) days after being served with a copy thereof. Fed. R. Civ. P. 72(b).

The parties are specifically advised that failure to object to the *Report and Recommendation* will result in a waiver of the right to *de novo* review by the District Judge and of the right to appeal the decision of the District Court adopting the *Report and Recommendation*. See *Thomas v. Arn*, 474 U.S. 140 (1985); *Smith v. Detroit Fed'n of Teachers, Local 231 etc.*, 829 F.2d 1370 (6th Cir. 1987); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

April 8, 2014

s/Norah McCann King  
Norah M<sup>c</sup>Cann King  
United States Magistrate Judge